

\$// Jotocon Comm., Inc., Windber, PA MM Doc 93- , DA 93-1059 //\$
\$/ 73.1740 Minumum Operating Schedule /\$
\$/ 73.1750 Discontinuance of Operation /\$
\$/ 300.309 Action upon Application /\$
\$/ 500.100 HDO /\$

Before the
Federal Communications Commission
Washington, D.C. 20554

In re Application of)	MM Docket No.
)	
Jotocon Communications, Inc.)	
)	
For Renewal of License of)	BR-910828YA
Station WBEM(AM))	
Windber, Pennsylvania)	

HEARING DESIGNATION ORDER

Adopted: August 27, 1993

Released:

By the Chief, Audio Services Division:

1. The Chief, Audio Services Division, Mass Media Bureau, has before him: (a) the captioned application for renewal of license filed by Jotocon Communications, Inc. ("Jotocon"), licensee of WBEM(AM), Windber, Pennsylvania;¹ and, (b) the results of an investigation into WBEM(AM)'s silent status.²

2. The Commission's records indicate that WBEM(AM) has been silent since October 24, 1989. In its initial off-air notification, Jotocon informed the Commission that the station had temporarily ceased broadcast operations due to financial difficulties. The station's most recent authority to remain silent

¹ The Commission consented to the assignment of the WBEM(AM) license from Greater Johnstown Radio, Inc. to Jotocon Comm., Inc. on March 21, 1989. The sale of the station was consummated on March 31, 1989.

² The Mass Media Bureau has been delegated authority to designate for hearing the renewal of license applications of silent broadcast stations. See Moenkopi Communications, Inc., 8 FCC Rcd 3990 (1993).

expired March 14, 1993.³ The current renewal of license application for WBEM(AM) has not been acted upon because of the station's silent status.⁴ In addition to its silent status, Jotocon has not provided sufficient RF radiation and public file maintenance information⁵ to otherwise complete the processing of its renewal application. Jotocon attempted to supply the information on October 17, 1991, in response to a September 25, 1991 request. However, the information provided was not sufficient and Jotocon has not been forthcoming in responding to a request of February 16, 1993 for further information.

3. By letter dated April 19, 1993, the Chief, AM Branch requested Jotocon to submit information concerning its compliance with Section 73.1740 (Minimum Operating Schedule) and Section 73.1750 (Discontinuance of Operation) of the Commission's Rules.⁶

³ In each successive request for silent authority, Jotocon indicated that the station had been listed for sale with a media broker and consultant. However, no application for assignment of license or transfer of control has ever been filed.

⁴ It is the Commission's general policy to defer action on a station's renewal of license application while that station is silent.

⁵ See Sections 1.107(b) and 73.3526 of the Commission's Rules, respectively.

⁶ Section 73.1740 (a) (4) provides:

"In the event that causes beyond the control of a licensee make it impossible to adhere to the operating schedule of this section or to continue operating, the station may limit or discontinue operation for a period of not more than 30 days without further authority from the FCC. Notification must be sent to the FCC in Washington, D.C. not later than the 10th day of limited or discontinued operation. During such period, the licensee shall continue to adhere to the requirements in the station license pertaining to the lighting of antenna structures. In the event normal operation is restored prior to the expiration of the 30 day period, the licensee will so notify the FCC of this date. If the causes beyond the control of the licensee make it impossible to comply within the allowed period, informal written request shall be made to the FCC no later than the 30th day for such additional time as may be deemed necessary."

Section 73.1750 provides:

"The licensee of each station shall notify the FCC in Washington, D.C. of permanent discontinuance of operation at least

No response has been received. Consequently, WBEM(AM) is currently off the air without authority. This fact, coupled with the fact that the licensee has kept WBEM(AM) off the air for over three years, supports our determination that Jotocon is in apparent violation of Sections 73.1740 (a) (4) and 73.1750 of the Commission's Rules. We believe that the evidence before us is sufficient to raise a substantial and material question of fact regarding Jotocon's capability and intent to resume the broadcast operations of WBEM(AM). We will therefore designate the WBEM(AM) renewal of license application for an evidentiary hearing on appropriate issues specified below.

4. Accordingly, IT IS ORDERED, That, pursuant to Section 309(e) of the Communications Act of 1934, as amended, 47 U.S.C. Sec. 309(e), the renewal of license applications of Station WBEM(AM), Windber, Pennsylvania, IS DESIGNATED FOR HEARING at a time and place to be specified in a subsequent Order, upon the following issues:

(a) To determine whether Jotocon Communications, Inc. has the capability and intent to expeditiously resume broadcast operations of WBEM(AM) consistent with the Commission's Rules.

(b) To determine whether Jotocon Communications, Inc. has violated Sections 73.1740 and/or 73.1750 of the Commission's Rules.

(c) To determine whether Jotocon Communications, Inc. has violated Section 73.3526 of the Commission's Rules concerning maintenance of the public inspection file.

(d) To determine whether station WBEM(AM), if returned to the air, would cause a significant environmental impact from RF radiation, pursuant to Section 1.1307(b) of the Commission's Rules, and if it would comply with the "Radio Frequency Guides" adopted in 1982 by the American National Standards Institute (ANSI C 95.1-1982).

(e) To determine, in light of the evidence adduced pursuant to the preceding issues, whether or not grant of the subject renewal of license applications would serve the public interest, convenience and necessity.

5. IT IS FURTHER ORDERED, That in the event it is determined that grant of the renewal of license application would serve the

two days before operation is discontinued. Immediately after discontinuance of operation, the licensee shall forward the station license and other instruments of authorization to the FCC, Washington, D.C. for cancellation."

public interest, convenience and necessity, the grant will be conditioned on the expeditious resumption of operation, the precise period of time to be established in the hearing. Failure to resume operations within the time specified in the condition will result in the cancellation of the license and the deletion of the station's call letters.

6. IT IS FURTHER ORDERED, That, in accordance with Section 309(e) of the Communications Act of 1934, as amended, both the BURDEN OF PROCEEDING with the introduction of evidence and the BURDEN OF PROOF with respect to the issues specified above shall be upon the LICENSEE, Jotocon Communications, Inc.

7. IT IS FURTHER ORDERED, That to avail itself of the opportunity to be heard, the licensee, pursuant to Section 1.221(c) of the Commission's Rules, SHALL FILE with the Commission, in person or by attorney, within twenty (20) days of the mailing of this Order, in triplicate, a written appearance stating an intention to appear on the date fixed for hearing and to present evidence on the issues specified in this Order.

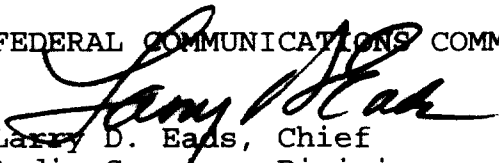
8. IT IS FURTHER ORDERED, That the licensee herein shall, pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, and Section 73.3594 of the Commission's Rules, give notice of the hearing within the time and in the manner prescribed in such Rules, and shall advise the Commission of the publication of such notice as required by Section 73.3594(g) of the Rules.

9. IT IS FURTHER ORDERED, That, if it is determined that the hearing record does not warrant an Order denying the renewal of license applications of WBEM(AM), Windber, Pennsylvania, it shall be determined, pursuant to Section 503(b) of the Communications Act of 1934, as amended, whether an ORDER OF FORFEITURE shall be issued against the licensee in an amount not exceeding \$250,000.00 for the willful and/or repeated violation of Section 73.1740 and/or 73.1750 of the Commission's Rules.

10. IT IS FURTHER ORDERED, That, in connection with the possible forfeiture liability noted above, this document constitutes notice pursuant to Section 503(b)(3) of the Communications Act of 1934, as amended. The Commission has determined that, in every case designated for hearing involving alleged violations which also come within the purview of Section 503(b) of the Communications Act of 1934, as amended, it shall, as a matter of course, include this forfeiture notice as to maintain

the fullest possible flexibility of action. Accordingly, we stress that the inclusion of this notice is not to be taken as in any way indicating what the initial or final disposition of this case should be.

FEDERAL COMMUNICATIONS COMMISSION


Larry D. Eads, Chief
Audio Services Division
Mass Media Bureau

SCHANEVILLE & BARINGER
ATTORNEYS AT LAW
918 GOVERNMENT STREET
BATON ROUGE, LOUISIANA 70802-6095

DAN D. SCHANEVILLE
DALE R. BARINGER
DONALD M. MELTZER
KEITH FRILEY
JOHN C. HOPEWELL, III
ANGELA F. GAUTHIER

*LLM IN TAXATION
*BOARD CERTIFIED TAX ATTORNEY

SEP 13 3 01 PM '93

SEP 8 1993

RECEIVED

SEP 13 1993

FCC - MAIL ROOM

TELEPHONE (504) 383-9953
FACSIMILE (504) 383-9905

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Attn: Mary McDonald
Room 1342

AM BRANCH

SEP 13 1993

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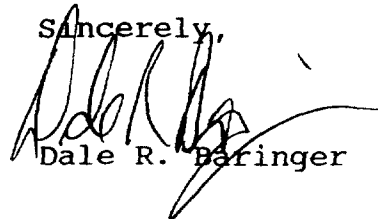
Re: **WBEX (AM), WKKJ (FM), Chillicothe, OH**
Pearl Broadcasting, Inc.
FCC File Nos. BTC-930728EC, BTCH-930728ED
Supplement to Application for Transfer of Control

Dear Ms. McDonald:

Please accept this as a supplement to the captioned application responding to your inquiries regarding Tweedy, Browne & Knapp. This information has been provided to us by counsel for Tweedy, Browne & Knapp. The general partners of Tweedy, Browne & Knapp are Christopher H. Browne, William H. Browne, James M. Clark, Jr., John D. Spears. All general partners are citizens of the United States. The partnership owns or controls no broadcast properties. The partnership has investment positions in three listed companies which have broadcasting interest. Those companies are Capital Cities ABC, Grey Communications, and McGraw Hill. None of the partnership's positions in the aforesaid companies comes close to a 5% ownership interest. The individual general partners have no broadcast properties or investments. The partnership indicates it has no way of knowing whether its limited partners have any broadcasting interest but has certified that the limited partners have no voice in management of the partnership.

I trust this information will satisfy your inquiries relative to Tweedy, Browne & Knapp. If you have any further questions please don't hesitate to call upon us.

Sincerely,



Dale R. Baringer

DRB/mfb

cc: George A. Foster, Jr.
Carl Ramey

FCC MAIL SECTION

APR 20 10 00 AM '93

DISPATCHED BY

FEDERAL COMMUNICATIONS COMMISSION

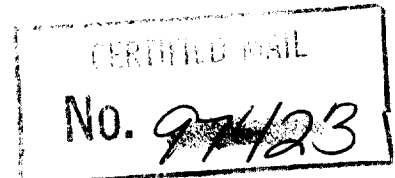
Washington, D.C. 20054

April 19, 1993

In Reply, Refer To:
8910 - BML
Stop Code 180082

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

J. Thomas Conners, President
JotoCon Comm, Inc.
129 E 39th Street, Suite 4C
New York, NY 10016



In re: WBEM (AM)
Winder, Pennsylvania
Authority to Remain Silent

Dear Sir or Madame:

Commission records show that the above-referenced station has been off the air without authority.

To verify our records, you are required to submit the following information, as applicable:

1. If the station is operating, state when the station resumed operations and whether it is operating in compliance with the minimum schedule of operation set forth in Section 73.1740 of the Commission's Rules. Provide a copy of any letter which notified the Commission that the station had returned to the air.

2. If the station is off the air but a current request for authority to remain silent was filed and acted upon, submit a copy of the Commission's authorization granting the request. If a request to remain silent was filed but has not been acted upon and the request is 120 days or older, submit up-dated justification for continuing to remain off the air.


3. If the station is off the air and has not filed a current request for an extension of silence authority and resumption of operations is contemplated, submit a request for authority to remain silent which includes a detailed explanation as to why the station has not yet resumed operations, why additional time is needed for continuing to remain off the air, and the prospects and time as to when resumption of operations is anticipated. If the station has permanently discontinued operations, the Commission must be so notified and the station's license and other instruments of authorization must be forwarded to the Commission for cancellation, pursuant to Section 73.1750 of the Commission's Rules. On December 11, 1991, the Commission adopted a Report and Order (copy attached) which amended Part I of the Commission's Rules, to implement Section 5301 of the Anti Drug Abuse Act of

1988. Pursuant to the Report and Order, any requests for extension of this authority must be accompanied by a certification that neither the applicant nor any party to the request is not subject to a denial of Federal benefits under Section 5301. Please use the attached certification page to comply with this requirement.

The requested information is required to be submitted to the Commission, in accordance with Section 73.1015 of the Rules, within thirty days from the date of this letter. Failure to respond or to submit a showing sufficient to justify an extension of silence authority will result in appropriate action by the Commission to terminate your authority to continue as a licensee. Your response should be mailed to:

Federal Communications Commission
AM Branch
Room 342
Washington, DC 20554

Sincerely,



James R. Burtle
Chief, AM Branch
Audio Services Division
Mass Media Bureau

8910-SML
WBEM (AM)

ANTI-DRUG ABUSE ACT CERTIFICATION

The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862a, or, in the case of a non-individual applicant (e.g. corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. § 1.2002(b).

☐ Yes

☐ No

Name of Applicant	Signature
Date	Title

NXX 40-08

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

16 FEB 1993

IN REPLY REFER TO:
8900-LJY
1800-B

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

JOTOCON COMM. Inc.
WBEM(AM)
1201 Robin Lane
Duncansville, PA 16635

RE: WBEM(AM)
Windber, PA
BR-910828YA

Dear Sir or Madam:

Your above-referenced application for license renewal has been pending before this office since 1991. We have been unable to complete the processing of this application because you have not supplied us with the following necessary information:

RF Information: A response to Question 7 of the renewal application which adequately demonstrates that the station will pose no significant environmental impact from RF radiation to the public and to the station's workers. **See enclosures.** Your amendment of 10/17/91 was not sufficient.

Public File: A complete response to Question 8 concerning whether you have placed the required documentation in the public file at the appropriate times. Your amendment of 10/17/91 is not sufficient because it states only that the file is currently up to date. We also need to know whether these items were placed in the file at the appropriate times. If "yes", please so state. If "no," you must submit an exhibit identifying the items (including the dates) that are missing or late-filed, explain the steps you have taken to reconstruct missing information or reasons why you are unable to reconstruct, and explain the steps you are currently taking to maintain a complete public file in accordance with 47 C.F.R. § 73.3526 or 73.3527.

Pursuant of Section 308(b) of the Communications Act of 1934, as amended (47 U.S.C. Section 308(b)), you are required to submit the necessary information by March 4, 1993.

You are also requested to notify the Commission as to whether the station is currently operating and on the air. If the station is silent, Commission records do not show that you have been issued a current authorization to remain silent. Therefore, if the station is off the air, you must submit a written request for authority to remain silent and indicate the steps that you are taking to resume normal operation in an expeditious manner.

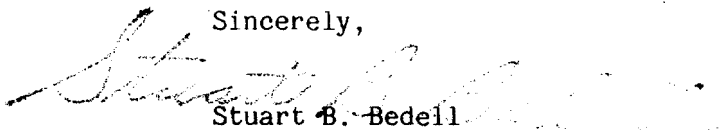
If it is your intention to forfeit the station's license, correspondence communicating this fact, accompanied by the station's license, should be provided at this time.

The required information should be submitted in duplicate and addressed to:

Federal Communications Commission
Audio Services Division
1919 M Street, N.W.
ATTN: Lakisiha Young -- Room 302
Washington, D.C. 20554

If you have any questions concerning this matter, you may contact Lakisiha Young or Claudia Patterson at (202) 632-6485.

Sincerely,


Stuart B. Bedell
Asst. Chief, Audio Services Division
Mass Media Bureau

FCC MAIL SECTION

DEC 21 3 47 PM '92

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554
December 17, 1992

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In Reply Refer To:
8910 - SML
Stop Code 180082

J. Thomas Conners, President
JotoCon Comm, Inc.
129 E 39th Street, Suite 4C
New York, NY 10016

In re: WBEM(AM)
Winder, PA

Dear Sir or Madame:

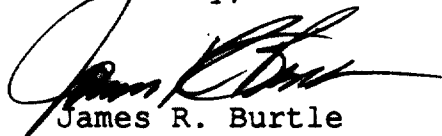
This letter concerns your pending request for authority to remain silent. Temporary authority is hereby granted for the above-referenced station to remain silent through March 14, 1993.

On December 11, 1991, the Commission adopted a Report and Order (copy attached) which amended Part 1 of the Commission's Rules, to implement Section 5301 of the Anti Drug Abuse Act of 1988. Pursuant to the Report and Order, any requests for extension of this authority must be accompanied by a certification that neither the applicant nor any party to the request is subject to a denial of Federal benefits under Section 5301. Please use the attached certification page to comply with this requirement.

Any further requests for extension of this authority must be accompanied by a detailed summary of steps taken to return the station to on-air operations. It will be necessary to maintain prescribed tower lighting in accordance with the stations license authorization. If an extension is not required, you are requested to notify the Commission, in writing, of the exact date the station resumes on-air operations.

In the event that any AM station remains silent for a period over 6 months, it will be necessary to file with the Commission, prior to returning the station to on-air operations, an FCC Form 302 for direct measurement of power which should include a partial proof of performance for stations with directional antennas.

Sincerely,


James R. Burtle
Chief, AM Branch
Audio Services Division
Mass Media Bureau

Attachments

8910-SML
WBEM (AM)

ANTI-DRUG ABUSE ACT CERTIFICATION

The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862a, or, in the case of a non-individual applicant (e.g. corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. § 1.2002(b).

☐ Yes

☐ No

Name of Applicant	Signature
.	.
.	.
Date	Title
.	.
.	.

111 0-500
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554
November 6, 1992 FCC MAIL SECTION

IN REPLY REFER TO:
Nov 6 2 19 PM '92 8910-SML

J. Thomas Conners, Pres.
JotoCon Comm, Inc.
129 E 39th Street, Suite 4C
New York, New York 10016

DISPATCHED BY

In re: ~~WEEM~~ (AM)
Winder, PA

Dear Applicant:

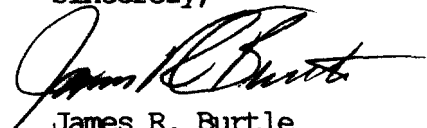
This is in reference to your pending request for Special Temporary Authority (STA) for the above-referenced station to remain silent.

On December 11, 1991, the Commission adopted a Report and Order (see attached copy) to amend Part 1 of the Commission's Rules to implement Section 5301 of the Anti-Drug Abuse Act of 1988. Effective February 3, 1992, applicants requesting STA are required to certify that neither the applicant nor any party to the request is subject to a denial of Federal Benefits under Section 5301.

Action will be deferred on your request pending receipt of your certification (See attached sample certification). Your certification should be directed to:

AM Branch, Room 342
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

Sincerely,


James R. Burtle
Chief, AM Branch
Audio Services Division
Mass Media Bureau

Attachments

AM B...

NOV 06 1992


8910-MB

ANTI-DRUG ABUSE ACT CERTIFICATION

The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862a, or, in the case of a non-individual applicant (e.g. corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. § 1.2002(b).

☒ Yes

☐ No

CANTRDAIR COMMUNICATIONS Co. WHGH-AM	
Name of Applicant	Signature
DAVID BERNSTEIN	
Date	Title
11/4/92	MGR. PARTNER

ROOM

239

222 00-105
239
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554
September 14, 1992

FCC MAIL SECTION
SEP 18 7 24 AM '92

IN REPLY REFER TO:
8910-SML

REC
j. Thomas Connors, President
JotoCon Comm, Inc.
129 E 29th Street Suite 4C
New York, New York 10016

In re: WBEM (AM)
Winder, PA

Dear Applicant:

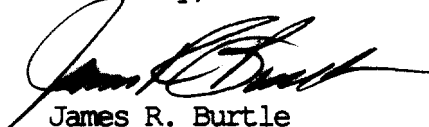
This is in reference to your pending request for Special Temporary Authority (STA) for the above-referenced station to remain silent.

On December 11, 1991, the Commission adopted a Report and Order (see attached copy) to amend Part 1 of the Commission's Rules to implement Section 5301 of the Anti-Drug Abuse Act of 1988. Effective February 3, 1992, applicants requesting STA are required to certify that neither the applicant nor any party to the request is subject to a denial of Federal Benefits under Section 5301.

Action will be deferred on your request pending receipt of your certification (See attached sample certification). Your certification should be directed to:

AM Branch, Room 342
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

Sincerely,



James R. Burtle
Chief, AM Branch
Audio Services Division
Mass Media Bureau

Attachments

FCC MAIL SECTION

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554
June 18, 1992

Jun 17 10 06 AM '92

239
IN REPLY REFER TO:
8910-SML

J. Thomas Connors, President
Radio Station WBEM (AM)
1201 Robin Lane
Duncansillve, PA 16635

In re: WBEM
Windber, PA

Dear Sir or Madame:


This letter concerns your pending request for authority to remain silent. Temporary authority is hereby granted for the above-referenced station to remain silent through September 18, 1992.

On December 11, 1991, the Commission adopted a Report and Order (copy attached) which amended Part 1 of the Commission's Rules, to implement Section 5301 of the Anti Drug Abuse Act of 1988. Pursuant to the Report and Order, any requests for extension of this authority must be accompanied by a certification that neither the applicant nor any party to the request is subject to a denial of Federal benefits under Section 5301. Please use the attached certification page to comply with this requirement.

Any further requests for extension of this authority must be accompanied by a detailed summary of steps taken to return the station to on-air operations. It will be necessary to maintain prescribed tower lighting in accordance with the stations license authorization. If an extension is not required, you are requested to notify the Commission, in writing, of the exact date the station resumes on-air operations.

In the event that any AM station remains silent for a period over 6 months, it will be necessary to file with the Commission, prior to returning the station to on-air operations, an FCC Form 302 for direct measurement of power which should include a partial proof of performance for stations with directional antennas.

Sincerely,


James R. Burtle
Chief, AM Branch
Audio Services Division
Mass Media Bureau

Attachments

239

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

February 28, 1992

MAR 3 1 58 PM '92

IN REPLY REFER TO:
8910-SML

J. Thomas Connors
Jotocon Communications, Inc.
1201 Robin Lane
Duncansville, PA 16635

RECEIVED

MAR 4 - 1992

In re: ~~XXXX~~ ~~XXXX~~
Winder, Pennsylvania

Federal Communications Commission
Office of the Secretary

Dear Sir or Madame:

This letter concerns your pending request for authority to remain silent. Temporary authority is hereby granted for the above-referenced station to remain silent through May 28, 1992.

On December 11, 1991, the Commission adopted a Report and Order (copy attached) which amended Part 1 of the Commission's Rules, to implement Section 5301 of the Anti Drug Abuse Act of 1988. Pursuant to the Report and Order, any requests for extension of this authority must be accompanied by a certification that neither the applicant nor any party to the request is subject to a denial of Federal benefits under Section 5301. Please use the attached certification page to comply with this requirement.

Any further requests for extension of this authority must be accompanied by a detailed summary of steps taken to return the station to on-air operations. It will be necessary to maintain prescribed tower lighting in accordance with the stations license authorization. If an extension is not required, you are requested to notify the Commission, in writing, of the exact date the station resumes on-air operations.

In the event that any AM station remains silent for a period over 6 months, it will be necessary to file with the Commission, prior to returning the station to on-air operations, an FCC Form 302 for direct measurement of power which should include a partial proof of performance for stations with directional antennas.

Sincerely,

James R. Burtle
Chief, AM Branch
Audio Services Division
Mass Media Bureau

Attachments

ANTI-DRUG ABUSE ACT CERTIFICATION

The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a, or, in the case of a non-individual applicant (e.g. corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. § 1.2002(b).

[] Yes

[] No

Name of Applicant	Signature
.	.
.	.
Date	Title
.	.
.	.

FEDERAL COMMUNICATIONS COMMISSION
FEE PROCESSING FORM

FOR
FCC
USE
ONLY

09-09-91 9150559 003

Please read instructions on back of this form before completing it. Section I **MUST** be completed. If you are applying for concurrent actions which require you to list more than one Fee Type Code, you must also complete Section II. This form must accompany all payments. Only one Fee Processing Form may be submitted per application or filing. Please type or print legibly. All required blocks must be completed or application/filing will be returned without action.

SECTION I

APPLICANT NAME (Last, first, middle initial)

CONNERS J Thomas

MAILING ADDRESS (Line 1) (Maximum 35 characters - refer to Instruction (2) on reverse of form)

1201 Robin Lane

MAILING ADDRESS (Line 2) (if required) (Maximum 35 characters)

CITY

Duncansville

STATE OR COUNTRY (if foreign address)

PA

ZIP CODE

16635

CALL SIGN OR OTHER FCC IDENTIFIER (if applicable)


WBEM AM

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in FCC Fee Filing Guides. Enter in Column (B) the Fee Multiple, if applicable. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number entered in Column (B), if any.

(A) FEE TYPE CODE	(B) FEE MULTIPLE (if required)	(C) FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY
(1) <u>M</u> <u>G</u> <u>R</u>	<u>1</u>	\$ <u>\$100.00</u>	

SECTION II

— To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

(A) FEE TYPE CODE	(B) FEE MULTIPLE (if required)	(C) FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY
(2) <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	
(3) <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	
(4) <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	
(5) <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	
ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (5), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE. 			TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING \$ <u>100.00</u>

INSTRUCTIONS FOR COMPLETING FEE PROCESSING FORM, FCC FORM 155, May 1990

- (1) **"Applicant Name"** - Enter the name (last, first, middle initial) of the applicant as it appears on the original application or filing being submitted with this Fee Processing Form. If company, enter name which is used commercially.
- (2) **"Mailing Address (Line 1)"** - Enter the street address or post office box number to which the applicant wishes correspondence sent.
- (3) **"Mailing Address (Line 2)"** - This line may be used for further identification of the address if additional space is required.
- (4) **"City"** - Enter the name of the city associated with the given street address.
- (5) **"State or Country"** - Enter the appropriate two-digit state abbreviation as prescribed by the U.S. Postal Service. If address is foreign, enter the appropriate country name here.
- (6) **"ZIP Code"** - Enter the appropriate five or nine-digit ZIP code prescribed by the U.S. Postal Service.
- (7) **"Call Sign or Other FCC Identifier"** - Enter an applicable call sign or unique FCC identifier, as shown on your attached application or filing. If applying for a service affecting more than one call sign, enter one call sign only.
- (8) **Column (A), "Fee Type Code"** - Enter correct Fee Type Code(s) from the appropriate Fee Filing Guide. Only one Fee Processing Form may be submitted per application or filing. Inaccurate or erroneous Fee Type Codes may result in your application or filing being returned to you without further processing.
- Column (B), "Fee Multiple"** - Certain applications and filings may request action with respect to more than one station, license, frequency, or party and can be submitted together with one check if they meet specific conditions. This column is used only if a multiple, i.e., two or more, is being applied for. Examples of when this would be used are renewing more than one call sign, frequency, station, or the transfer of control of more than one station. Refer to the appropriate Fee Filing Guide for additional information.
- (10) **Column (C), "Fee Due For Fee Type Code in Column (A)"** - Enter in this block the amount of the fee associated with the Fee Type Code shown in Column (A) (times (x) the fee multiple, if required).
- (11) **"Total Amount Remitted With This Application or Filing"** - Enter the total of lines (1) through (5) of Column (C). This amount should equal the amount of your check or money order. We will not accept multiple checks.

HOW TO SUBMIT APPLICATIONS AND FILINGS

o Each application or filing should be assembled with the Fee Processing Form stapled to the top of the application with the check placed on top of the Fee Processing Form. **DO NOT STAPLE THE CHECK TO THE APPLICATION OR FEE PROCESSING FORM.** Required copies of applications should be clearly identified as "duplicate copy" and placed behind the original package. A copy of an application or filing submitted for receipt purposes only should be placed at the bottom of the submission. Extraneous material and extra copies should be avoided at all times. Failure to abide by these instructions will delay the processing of your submission.

o Completed applications or filings should be mailed to the proper address shown in the Fee Filing Guide for the particular service for which you are applying or making a filing. Applications and filings which are properly addressed to the appropriate P.O. box number may also be hand delivered to the following address. Applications received before midnight on a normal business day will receive that day's date as the receipt date. Deliveries made after midnight on Fridays will not be "officially" receipted until the next Monday. Applications received on weekends and government holidays are dated the next regular business day.

Federal Communications Commission
c/o Mellon Bank
Three Mellon Bank Center
525 William Penn Way
27th Floor, Rm. 153-2713
Pittsburgh, Pennsylvania 15259-0001
(Attention: Wholesale Lockbox Shift Supervisor)

o A single check, bank draft or money order made payable to the Federal Communications Commission and denominated in U.S. dollars and drawn upon a U.S. financial institution must be included with each application or filing requiring a fee. No postdated, altered or third-party checks will be accepted. Do not send cash.

o Parties hand delivering applications or filings may receive dated receipt copies by presenting copies of the applications or filings to the acceptance clerk at the time of delivery. Receipts will be provided for mail-in applications or filings if an extra copy of the application or filing is provided along with a self-addressed stamped envelope. Only one piece of paper per application or filing will be stamped for receipt purposes.

REMEMBER

o A separate completed Fee Processing Form is required with each application or filing except in certain circumstances. Please refer to the appropriate Fee Filing Guide for additional information.

o A wrong Fee Type Code or incorrect remittance may result in your application or filing being returned without processing, or result in the dismissal of your application or filing. Please ensure that FEE TYPE CODES are correct and that your check or money order equals the amount shown in the TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING block before submitting your application or filing.

o If you have any questions completing this form, please call the Fees Hotline, 202/632-FEES

FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

Part 1, Subpart G of the Commission's rules authorize the FCC to request the information on this form. The information requested is required in order to obtain a license or authorization from the Commission. The purpose of the information is to provide a means to link a fee payment to a specific invoice, application or filing. The information will be used by the Commission to maintain data concerning fees paid to the Commission, for internal financial control, audit, and reporting purposes. Information requested on this form will be available to the public. Your response is required to obtain a license or other authorization from the Commission.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Federal Communications Commission, Office of Managing Director, Washington, DC 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0440), Washington, DC 20503.

Federal Communications Commission
Washington, D.C. 20554

9798, ECO-
FCC/MELLON AUG 28 1991
APPLICATION FOR RENEWAL OF LICENSE FOR
COMMERCIAL AND NONCOMMERCIAL AM, FM OR TV BROADCAST STATION

Approved by OMB
Expires 5/31/91

AUG 30 1991

FCC

For Commission Fee Use Only

FEE NO:

FEE TYPE:

FEE AMT:

ID SEQ:

For Applicant Fee Use Only

Is a fee submitted with this application?

If No, indicate reason therefor (check one box):

☐ Nonfeeable application

Fee Exempt (See 47 C.F.R. Section 1.1112)

☐ Noncommercial educational licensee

☐ Governmental entity

For Commission Use Only:

File No.

910828YA

1. Name of Applicant

JOTOCOM COMM. INC.

Mailing Address

1201 ROBIN LANE

City

DUNCANVILLE

State

PA

ZIP Code

16635

This application is for:



AM



FM



TV

(a) Call Letters:

WBEM

(b) Principal Community:

City

Windber

State

PA

3. Attach as Exhibit No. _____ an identification of any FM booster or TV booster station for which renewal of license is also requested.

4. Have the following reports been filed with the Commission:

(a) The Broadcast Station Annual Employment Reports (FCC Form 395-B) as required by 47 C.F.R. Section 73.3612?



Yes



No

If No, attach as Exhibit No. _____ an explanation.

(b) The applicant's Ownership Report (FCC Form 323 or 323-E) as required by 47 C.F.R. Section 73.3615?



Yes



No

If No, give the following information:

Date last ownership report was filed

4/1/89

Call letters of station for which it was filed

WBEM

5. Is the applicant in compliance with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments?

☒ Yes ☐ No

If No, attach as Exhibit No. _____ an explanation.

6. Since the filing of the applicant's last renewal application for this station or other major application, has an adverse finding been made or final action been taken by any court or administrative body with respect to the applicant or parties to the application in a civil or criminal proceeding, brought under the provisions of any law relating to the following: any felony; broadcast related antitrust or unfair competition; criminal fraud or fraud before another governmental unit; or discrimination?

☐ Yes ☒ No

If Yes, attach as Exhibit No. _____ a full description of the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers) and the disposition of the litigation.

7. Would a Commission grant of this application come within 47 C.F.R. Section 1.1307, such that it may have a significant environmental impact?

☐ Yes ☐ No

If Yes, attach as Exhibit No. _____ an Environmental Assessment required by 47 C.F.R. Section 1.1311.

If No, explain briefly why not.

8. Has the applicant placed in its station's public inspection file at the appropriate times the documentation required by 47 C.F.R. Sections 73.3526 or 73.3527?

☐ Yes ☐ No

If No, attach as Exhibit No. _____ a complete statement of explanation.

The APPLICANT hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations and that all the exhibits are a material part hereof and are incorporated herein as set out in full in the application.

CERTIFICATION: I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name	JOTOCON COMM INC J THOMAS CONNERS	Signature	J THOMAS CONNERS
Title	President/owner	Date	AUG/27/91

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

25 SEP 1991

IN REPLY REFER TO:

8900-LJY

Jotocon Comm., Inc.
WBEM(AM)
1201 Robin Lane
Duncansville, PA 16635

In re. WBEM(AM)
Windber, PA
BR-910828YA

Dear Licensee:

Review of the above-referenced renewal application indicates that it is deficient in the manner described below:

- [X] explanative information pursuant to 47 C.F.R. Section 1.1307 regarding the station's environmental impact (including radio frequency radiation) has not been provided (see enclosed clarification);
- [X] response to Item(s) 7 & 8 of the renewal form is incomplete;
- [X] FCC Form 396 -- Broadcast Equal Employment Opportunity Program Report -- has not been provided (form enclosed); or

Processing of the application cannot be completed until the noted deficiency has been corrected. Accordingly, please submit the required information as an amendment to the application, in duplicate, to Room 302 of the Commission, attention Lakisiha J. Young. If you have any questions concerning the above, please contact Ms. Young at (202) 632-6485.

Sincerely,



Larry D. Eads
Chief, Audio Services Division
Mass Media Bureau

Enclosure

11/11/91 10:10 AM

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

25 SEP 1991

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Sincerely,



Larry D. Eads
Chief, Audio Services Division
Mass Media Bureau

Enclosure